## EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 3

**DOCKET NO.:** 2007-1498-PWS-E **TCEQ ID:** RN102322286 **CASE NO.:** 34624 **RESPONDENT NAME:** David Zulejkic dba Buffalo Ridge Mobile Home Community

ORDER TYPE:							
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING					
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER					
AMENDED ORDER	EMERGENCY ORDER						
CASE TYPE:							
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE					
X PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION					
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL					
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION					
TYPE OF OPERATION: Public water sup  SMALL BUSINESS:X Yes  OTHER SIGNIFICANT MATTERS: Ther facility location.  INTERESTED PARTIES: No one other that COMMENTS RECEIVED: The Texas Reg  CONTACTS AND MAILING LIST:	No re are no complaints. There is no record of additional and the ED and the Respondent has expressed an intersister comment period expired on March 10, 2008. None : None : Mr. Michael Meyer, Enforcement Division, Enforcement	rest in this matter.  No comments were received.  Seement Team 7, MC 128, (512) 239-4492; Mr.					

**DOCKET NO.:** 2007-1498-PWS-E

#### **VIOLATION SUMMARY CHART:** CORRECTIVE ACTIONS of X PENALTY CONSIDERATIONS VIOLATION INFORMATION TAKEN/REQUIRED Total Assessed: \$4,690 **Corrective Actions Taken:** Type of Investigation: Complaint The Executive Director recognizes that the \_\_\_ Routine **Total Deferred: \$938** X Expedited Settlement Respondent has implemented the Enforcement Follow-up following corrective measures at the X Records Review \_\_Financial Inability to Pay Facility: Date(s) of Complaints Relating to this a. Based on an investigation conducted by Case: None **SEP Conditional Offset: \$0** the DFW Regional Office on October 16, 2007, the drinking water system is Date of Investigation Relating to this Total Paid (Due) to General Revenue: \$342 operated at all times under the direct Case: July 20, 2007 (remaining \$3,410 due in 11 monthly supervision of a TCEO licensed water payments of \$310 each) works operator and operating records are Date of NOV/NOE Relating to this Case: made accessible for review during August 3, 2007 (NOE) **Site Compliance History Classification** inspections; and High \_\_\_ Average Poor Background Facts: This was a routine b. Based on a letter from the Public record review. **Person Compliance History Classification** Drinking Water Section dated November \_\_ High \_\_\_ Average \_\_\_ Poor 8, 2007, the TCEQ granted an exception of WATER the AWWA certification requirements for Major Source: \_\_\_ Yes \_\_ X No the six existing ground storage tanks at the 1) Failed to maintain three or less pressure Facility. tanks at any one time unless prior approval Applicable Penalty Policy: September 2002 has been granted by the Executive Director. Specifically, the Respondent did not have **Ordering Provisions:** approval from the Executive Director of the TCEO for the ten pressure tanks at the The Order will require the Respondent to: Facility [30 Tex. ADMIN. CODE § 290.43(d)(9)]. a. Within 90 days after the effective date of this Agreed Order: 2) Failed to cover and design, fabricate, erect, test and disinfect in strict accordance i. Reduce the number of pressure tanks at with current American Water Works the Facility to three or less or obtain Association ("AWWA") standards, all approval from the Executive Director to facilities for potable water storage. The have more than three pressure tanks oninvestigator documented six ground storage site; tanks which were not AWWA certified [30] TEX. ADMIN. CODE § 290.43(c)]. ii. Provide a pressure tank capacity of 20 gallons per connection; and 3) Failed to provide a pressure tank capacity of 20 gallons per connection. Specifically, b. Within 105 days after the effective date the system is required to provide a pressure of this Agreed Order, submit written tank capacity of 1,900 gallons based on the certification and include detailed number of the system's connections. At the supporting documentation including time of the records review, the system was photographs, receipts, and/or other records providing a pressure tank capacity of 1,050 to demonstrate compliance with Ordering gallons, which is 45% deficient [30 Tex. Provision a. ADMIN. CODE § 290.45(b)(1)(F)(iv)]. 4) Failed to have the public water system operated at all times under the direct supervision of a TCEQ licensed water works operator [30 Tex. ADMIN. CODE § 290.46(e)].

# RESPONDENT NAME: David Zulejkic dba Buffalo Ridge Mobile Home Community

Page 3 of 3

### **DOCKET NO.:** 2007-1498-PWS-E

5) Failed to have operating records accessible for review during inspection [30 Tex. Admin. Code § 290.46(f)((2)].	

Additional ID No(s).: PWS Registration 1260106

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Policy Povision 2 (S	-	alculation	n Worksheet (F	•	ision June 26, 2007
Policy Revision 2 (S	eptember 2002)			PCW Revi	sion June 26, 2007
DATES Assigne		4-Sep-2007	EPA Due	en e	otoran ya kutus 🎉
\$100.000 0000000000000000000000000000000		4-0cp 2007	LI A Duc		
RESPONDENT/FACILIT					
Responder Reg. Ent. Ref. N	nt David Zulejkic dba Buffalo R	iage Mobile Hom	le Community		
	n Dallas/Fort Worth		Major/Minor Source	e Minor	
CASE INFORMATION Enf./Case ID No	24624		No. of Violation	ve <u> </u>	<del></del> 1
	o. 2007-1498-PWS-E		Order Typ		
	s) Public Water Supply			or Michael Meyer	
Multi-Med				m EnforcementTeam 7	
Admin. Penalty	\$ Limit Minimum \$50	Maximum	\$1,000		
	Penal	ty Calculat	tion Section		
TOTAL BASE PENA	ALTY (Sum of violation b	ase penalties	)	Subtotal 1	\$4,200
				1949/A-SPE SARAFERRADO (1.10.11.)	
ADJUSTMENTS (+/	-) TO SUBTOTAL 1 tained by multiplying the Total Base Pe	malty (Cubtatal 1) by	the indicated persontage	restoração de estado e estada de cabada. A caracidado de estada de esta	
Compliance His				ototals 2, 3, & 7	\$420
Compliance		1070	Emilandement Gu		<u> </u>
Note	es Two NOVs fo	or same or simila	r violations.		
Culpability	No	0%	Enhancement	Subtotal 4	\$0
Note	es The Respondent do	es not meet the	culpability criteria.		
Good Faith Effe		0%	Reduction	Subtotal 5	\$0
Extraordina		P/Settlement Offer			
Ordina	·				
The Art Control of the Control of th	/A X (mark with x)				
			16 10 10 1		
Note	The Respondent do	bes not meet the	good faith criteria.	vi vy Vy vy v	
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E. Anni and a Maria (170 mily) and the Maria (	Total EB Amounts \$133		Inhancement* Int the Total EB \$ Amount	Subtotal 6	\$0
Appro	Total EB Amounts \$133 x. Cost of Compliance \$2,270	Сарреи а	it the Total LD \$ Amount		
	a ngang asa na katawa 1991 na katawa 1994 n				
SUM OF SUBTOTA	LS 1-7			Final Subtotal	\$4,620
				and the second second	
	AS JUSTICE MAY REQUAL Subtotal by the indicated percentage.		3.5%	Adjustment	\$70
Reduces or ennances the Fina					
Notes	Recommend an adjustment	•	oided cost associated wi	th	
110.00		Violation No. 4.			
***************************************			Final P	Penalty Amount	\$4,690
Carlos das vista documentos				- many provinces of first the course of the control of the course	
STATUTORY LIMIT	ADJUSTMENT		Final As	sessed Penalty	\$4,690
La caracterista de la constanta de la constant		Nagyana a tanan ka	Barrar darah aran -	Colling Styles states and the	
DEFERRAL			20% Reduction	Adjustment	-\$938
Reduces the Final Assessed F	Penalty by the indicted percentage. (En	ter number only; e.g.	20 IOF 20% reduction.)	<b>-</b>	
Notes	Deferral offer	ed for expedited	settlement	*	

\$3,752

PAYABLE PENALTY

Screening Date 4-Sep-2007

Docket No. 2007-1498-PWS-E

PCW

Respondent David Zulejkic dba Buffalo Ridge Mobile Home Communi

TE NEW CASE A LOCAL

Policy Revision 2 (September 2002)
PCW Revision June 26, 2007

Adjust.

10%

Rog, Eris, Schledick (St. 2004)

Enter Number Here

2

Case ID No. 34624

Reg. Ent. Reference No. RN102322286

>> Compliance History Site Enhancement (Subtotal 2)

Component Number of...

NOVs

Media [Statute] Public Water Supply

(number of NOVs meeting criteria)

Enf. Coordinator Michael Meyer

**Compliance History Worksheet** 

Written NOVs with same or similar violations as those in the current enforcement action

Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)  Orders  Orders  Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability or this state or the federal government (number of judgments or consent decrees meeting or criteria)  Any adjudicated final court judgments or consent decrees meeting or criteria.  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government.  Convictions  Any criminal convictions of this state or the federal government (number of counts)  Oncommental Any criminal convictions of this state or the federal government (number of counts)  Chronic excessive emissions events (number of events)  Letters inciting the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Pilease Enter Yes or No  Other  Other  Environmental management systems in place for one year or more  No  Other  Participation in a voluntary pollution reduction program  Adjustment Percentage (Subtotal 2)  Opeat Violator (Subtotal 3)  Ompliance History Person Classification (Subtotal 7)		Other written NOVs	0	0%
of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the cohmission  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting of order)  Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government government  Cornvictions Any criminal convictions of this state or the federal government (number of counts)  Chronic excessive emissions events (number of events)  O 0%  Emissions  Chronic excessive emissions events (number of events)  O 0%  Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  No 0%  Early compliance with, or offer of a product that meets future state or federal government normental requirements  Adjustment Percentage (Subtotal 2)  N/A  Adjustment Percentage (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  Two NOVs for same or similar violations.		Any agreed final enforcement orders containing a denial of liability (number of orders	0	0%
Judgments and Consent Decrees Judgments and Consent Decrees Service Se	Orders	of liability, or default orders of this state or the federal government, or any final prohibitory	0	0%
Decrees Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (Convictions Any criminal convictions of this state or the federal government (number of counts) 0 0% Emissions Chronic excessive emissions events (number of events) 0 0%    Letters inotifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Please Enter Yes or No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government No  Adjustment Percentage (Subtotal 2)  opposit Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  Ompliance History Person Classification (Subtotal 7)  Two NOVs for same or similar violations.	1 4	of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
Emissions Chronic excessive emissions events (number of events)  Letters 'notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Please Enter Yes or No  Please Enter Yes or No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program No 0%  Early compliance with, or offer of a product that meets future state or federal government No 0%  adjustment Percentage (Subtotal 2)  epeat Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  Two NOVs for same or similar violations.	l l	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal	0	0%
Emissions   Chronic excessive emissions events (number of events)   0 0%	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)  Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)  Other  Environmental management systems in place for one year or more  No  Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  Participation in a voluntary pollution reduction program  Adjustment Percentage (Subtotal 2)  Pepeat Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  Ompliance History Person Classification (Subtotal 7)  Two NOVs for same or similar violations.  Two NOVs for same or similar violations.			0	0%
Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)    Please Enter Yes or No		Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of	0	0%
Environmental management systems in place for one year or more		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Other  Ot		Pleas	e Enter Yes or No	)
Other Special assistance program		Environmental management systems in place for one year or more	No	0%
Participation in a voluntary pollution reduction program  Early compliance with, or offer of a product that meets future state or federal government environmental requirements  Adjustment Percentage (Subtotal 2)  Repeat Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  Compliance History Summary  Compliance History Summary  Two NOVs for same or similar violations.  No  No  No  No  No  No  No  No  No  N	Other	1 '	No	0%
environmental requirements  Adjustment Percentage (Subtotal 2)  epeat Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  ompliance History Person Classification (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  compliance History Summary  Compliance History Summary  Two NOVs for same or similar violations.		Participation in a voluntary pollution reduction program	No	0%
epeat Violator (Subtotal 3)  N/A  Adjustment Percentage (Subtotal 3)  ompliance History Person Classification (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  ompliance History Summary  Compliance History History Notes  Two NOVs for same or similar violations.			No	0%
N/A  Ompliance History Person Classification (Subtotal 7)  N/A  Ompliance History Summary  Compliance History History  Notes  Two NOVs for same or similar violations.		Adjustment Po	ercentage (S	Subtotal 2)
ompliance History Person Classification (Subtotal 7)  N/A  Adjustment Percentage (Subtotal 7)  ompliance History Summary  Compliance History History Notes  Two NOVs for same or similar violations.	peat Violator (S	ibtotal 3)		
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Compliance History History Notes  Two NOVs for same or similar violations.	[N			989014400 J. Haspiele
Compliance History Notes Two NOVs for same or similar violations.		y Person Classification (Subtotal 7)		
History Two NOVs for same or similar violations. Notes	ompliance Histor		ercentage (S	Subtotal 7)
Total Adjustment Percentage (Subtotals 2, 3, & 7)	ompliance Histor	Adjustment Po	ercentage (S	Subtotal 7)
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Screening Da	in the second of	PCW
The state of the state	nt David Zulejkic dba Buffalo Ridge Mobile Home Community	Policy Revision 2 (September 2002)
Case ID N		PCW Revision June 26, 2007
Reg. Ent. Reference N		emorphoses
	te] Public Water Supply	***************************************
Enf. Coordinat		WARNING TO THE TOTAL THE TOTAL TO THE TOTAL TOTAL TO THE
Violation Numb		
Rule Cite	(s) 30 Tex. Admin. Code § 290.43(d)(9)	
Violation Descripti	on Failed to maintain three or less pressure tanks at any one time unless prior a has been granted by the Executive Director, as documented during a records conducted on July 20, 2007. Specifically, the Respondent did not have approthe Executive Director of the TCEQ for the ten pressure tanks at the Faci	review val from
	Base	Penalty \$1,000
>> Environmental, Propert	y and Human Health Matrix	
	Harm .	
Relea OR Acti		as a second seco
Poten		
1.50	10/0j	
>>Programmatic Matrix		
Falsification		
	Percent 0%	
Matrix tank inte	nore than three pressure tanks at one location could result in unstable pressure an egrity compromising the system's ability to supply water which could result in a sigr nt of pollutants being distributed for human consumption which would not exceed le protective of human health.	ificant
	Adjustment	\$900
		\$100
Violation Events		
Number of	Violation Events 1 46 Number of violation days	;
Out of the second secon	daily	
mark only o with an x		Penalty \$100
	annual	
	single event	
One qua	arterly event is recommended from the July 20, 2007 records review to the Septem 2007 screening date.	per 4,
Economic Benefit (EB) for	this violation Statutory Limit Tes	
Estima	nted EB Amount \$4 Violation Final Pena	Ity Total \$112
	This violation Final Assessed Penalty (adjusted fo	r limits) \$112
		/

	RN102322286 Public Water S	upplu :				I total	Years of
Violation No		ирріу				Percent Interest	Depreciation
					V. 1	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
ltem Description	No commas or \$	MERCHANIST CONTRACTOR	1901b/A 367 GL				
III a see a							
Delayed Costs			100000				
Equipment	Committee to be	1.1 (2.1)		0.0	\$0	\$0	\$0
Buildings	Li.	The state of the state of		0,0	\$0	\$0	\$0
Other (as needed)			<u> </u>	0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land	music expansible and the			0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0 \$0	n/a n/a	\$0
Remediation/Disposal				0.0			\$0 \$0
Permit Costs		11		0.0	\$0	n/a	\$0
Other (as needed)	\$100	20-Jul-2007	30-Apr-2008	0.8	\$4	n/a	\$4 te. The Date
Other (as needed)  Notes for DELAYED costs	Estimated co	ost to submit a requ	est and obtain a v	/ariance	s4 on the number of		te. The Date
Notes for DELAYED costs	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	varlance w and th	\$4 on the number of pe Final Date is the	n/a pressure tanks on-si projected compliand	te. The Date ce date.
Notes for DELAYED costs  Avoided Costs	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the	\$4 on the number of period of the final Date is the intermediate.	n/a pressure tanks on-si projected compliand	te. The Date ce date.
Notes for DELAYED costs	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	varlance w and th	\$4 on the number of pe Final Date is the item (except for a	n/a pressure tanks on-si projected compliand	te. The Date ce date.
Notes for DELAYED costs  Avoided Costs  Disposal	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the entering	\$4 on the number of period of the final Date is the intermediate.	n/a pressure tanks on-si projected compliand pone-time avoided c	te. The Date ce date.
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the	\$4 on the number of pe Final Date is the litem (except for a \$0 \$0	n/a  pressure tanks on-si projected compliance  projected avoided c  \$0  \$0	te. The Date ce date.
Notes for DELAYED costs  AVOIDED COSTS  Disposal  Personnel  Inspection/Reporting/Sampling	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the entering 0.0 0.0 0.0 0.0 0.0 0.0	s4 on the number of pe Final Date is the item (except for a \$0 \$0 \$0 \$0 \$0 \$0	n/a pressure tanks on-si projected compliand some-time avoided compliand \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	te. The Date ce date.  osts)  \$0  \$0  \$0  \$0  \$0
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling  Supplies/equipment	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	s4 on the number of pe Final Date is the item (except for a so so so so so so so so so	n/a pressure tanks on-si projected compliance pne-time avoided compliance \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	te. The Date ce date.  osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs  AVOIDED COSTS  Disposal  Personnel Inspection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the entering 0.0 0.0 0.0 0.0 0.0 0.0	s4 on the number of pe Final Date is the item (except for a \$0 \$0 \$0 \$0 \$0 \$0	n/a pressure tanks on-si projected compliand some-time avoided compliand \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	te. The Date ce date.  osts)  \$0  \$0  \$0  \$0  \$0
Avoided Costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]  ONE-TIME avoided costs [3]	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	s4 on the number of pe Final Date is the item (except for a so so so so so so so so so	n/a pressure tanks on-si projected compliance pne-time avoided compliance \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	te. The Date ce date.  osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel Inspection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]  ONE-TIME avoided costs [3]	Estimated co	ost to submit a requ red is the July 20, 2	est and obtain a v	variance w and the entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.	s4 on the number of pe Final Date is the item (except for a so so so so so so so so so	n/a pressure tanks on-si projected compliance pne-time avoided compliance \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	te. The Date ce date.  osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date 4	Sep-2007 <b>Docket No.</b> 2007-1498-PWS-E	PCW
Respondent D	avid Zulejkic dba Buffalo Ridge Mobile Home Community Policy	Revision 2 (September 2002)
Case ID No. 3	1624	PCW Revision June 26, 2007
Reg. Ent. Reference No. R	N102322286	
Media [Statute] P	ublic Water Supply	
Enf. Coordinator M	ichael Meyer	
Violation Number	2	_
Rule Cite(s)	30 Tex. Admin. Code § 290.43(c)	1
<u>_</u>	55 / O.W. / Walliam 2000 () ===\(\sigma_{-}\)	
	Failed to cover and design, fabricate, erect, test and disinfect in strict accordance with urrent American Water Works Association ("AWWA") standards, all facilities for potable water storage, as documented during a records review on July 20, 2007. The investigator documented six ground storage tanks which were not AWWA certified.	,
	Base Penalty	\$1,000
		-
>> Environmental, Property an		
Release	Harm Major Moderate Minor	
OR Actual	Wajor Woderate Willion	
Potential	X Percent 25%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	Percent 0%	
		<b>a</b>
Matrix Human health Notes	or the environment could be exposed to a significant amount of pollutants which would exceed levels protective of human health as a result of the violation.	TO THE PARTY OF TH
	Adjustment \$750	7
	Adjustifient	۷
		\$250
·		
Violation Events		
Number of Viola	tion Events 12 46 Number of violation days	
mark only one with an x	daily monthly x quarterly Violation Base Penalty emiannual	\$3,000
s	ingle event	***************************************
Twelve mont	hly events (two monthly events for each ground storage tank) from the July 20, 2007 records review to the September 4, 2007 screening date.	
Economic Benefit (EB) for this	violation Statutory Limit Test	
Estimated E	B Amount \$15 Violation Final Penalty Tota	\$3,350
L3cmateu i	violation i mai i enaty rota	
	This violation Final Assessed Penalty (adjusted for limits	\$3,350

	, J	conomic l	Benefit W	/orks	sheet	San Carlotta	Som
Respondent	David Zulejkic	lba Buffalo Ridge N	Nobile Home Com	nmunity			
Case ID No.	\$;	. , ,					
Reg. Ent. Reference No.	RN102322286					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
•	Public Water S	innly					Years of
Violation No.		арріу				Percent Interest	Depreciation
Violation No.	, 2	research an arras (Lane			1		
	3 - 10					5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					repaid auto	
Delayed Costs							
Equipment				0,0	\$0	\$0	\$0
Buildings	***************************************			0.0	\$0	\$0	\$0
Other (as needed)				0,0	\$0	. \$0	\$0
Engineering/construction	110 110 110	7 4		0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs			41.1	0.0	<b>\$</b> 0	n/a	\$0
Other (on peeded)							
Other (as needed)	\$1,000	st to have the six o	8-Nov-2007	0.3	\$15	n/a	\$15
Notes for DELAYED costs	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	ıks certifi review aı	ed in accordance nd the Final Date i	with AWWA standar is the compliance da	ds. The Date tte.
Notes for DELAYED costs  Avoided Costs	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	iks certifi review ai	ed in accordance nd the Final Date i	with AWWA standar is the compliance da one-time avoided c	ds. The Date tte.
Notes for DELAYED costs  Avoided Costs  Disposal	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	ks certificereview and entering	ed in accordance nd the Final Date i item (except for	with AWWA standar is the compliance da one-time avoided c	ds. The Date tte.
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering	ed in accordance nd the Final Date i item (except for \$0 \$0	with AWWA standar is the compliance da one-time avoided c \$0 \$0	ds. The Date tte.
Notes for DELAYED costs  Avoided Costs  Disposal	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	ks certificereview and entering	ed in accordance nd the Final Date i item (except for	with AWWA standar is the compliance da one-time avoided c	ds. The Date tte.
Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering 0.0 0.0 0.0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance date one-time avoided compliance is \$0 \$0 \$0	ds. The Date tte.
Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering 0.0 0.0 0.0 0.0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da one-time avoided c \$0 \$0 \$0 \$0	ds. The Date tte.  osts) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs  Disposal  Personnel  Inspection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da  one-time avoided c  \$0  \$0  \$0  \$0  \$0  \$0	ds. The Date tte.  osts)  \$0  \$0  \$0  \$0  \$0  \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0  0.0  0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0  0.0  0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0  0.0  0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0  0.0  0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0  0.0  0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated co	st to have the six g equired is the July :	round storage tan 20, 2007 records	entering  0.0  0.0  0.0  0.0  0.0  0.0  0.0  0	ed in accordance and the Final Date in the final	with AWWA standar is the compliance da  one-time avoided c  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

Screening Date		PCW
Respondent	David Zulejkic dba Buffalo Ridge Mobile Home Community	olicy Revision 2 (September 2002)
Case ID No.		PCW Revision June 26, 2007
Reg. Ent. Reference No.		***************************************
Enf. Coordinator	Public Water Supply	
Violation Number	<u></u>	***************************************
Rule Cite(s)		<b>—</b>
	30 Tex. Admin. Code § 290.45(b)(1)(F)(iv)	
Violation Description	Failed to provide a pressure tank capacity of 20 gallons per connection, as documed during a records review conducted on July 20, 2007. Specifically, the system is requited to provide a pressure tank capacity of 1,900 gallons based on the number of system connections. At the time of the records review, the system was providing a pressurant capacity of 1,050 gallons, which is 45% deficient.	uired m's
	Base Per	nalty \$1,000
>> Environmental, Property a		***************************************
Release	<b>Harm</b> Major Moderate Minor	
OR Actual		
Potential	X Percent 25%	
>>Programmatic Matrix		200000000000000000000000000000000000000
_ Falsification	Major Moderate Minor	
	Percent 0%	
		<del></del>
Matrix Notes Inadequate p	pressure tank capacity could result in low water pressure and backflow problems and allow a significant amount of contaminants to enter the water supply.	may
	Adjustment	750
		\$250
Violation Events		TOTAL CONTROL OF THE
Number of Vio	olation Events 2 46 Number of violation days	***************************************
mark only one with an x	daily monthly x quarterly Violation Base Per semiannual annual single event	nalty \$500
Two monthly	v events from the July 20, 2007 records review to the September 4, 2007 screening d	ate.
Economic Benefit (EB) for th	is violation Statutory Limit Test	
Estimated	d EB Amount \$39 Violation Final Penalty T	otal \$558
	This violation Final Assessed Penalty (adjusted for lin	nits) \$558
	This ficialism into Assessed Formity (adjusted for into	

Reg. Ent. Reference No.	Public Water S	unnly					Years of
Violation No.	9	abbil				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description		- Later Requirem		200			
tom Besofipier	i No commaσ οι φ			3-126			
Delayed Costs							
Equipment	- 1 and 11 a			0.0	\$0	\$0	\$0
Bulldings	4			0.0	\$0	\$0	\$0
Other (as needed)	1.00		4	0,0	\$0	\$0	\$0
Engineering/construction	4		1	0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
rraningraamping		I					
Remediation/Disposal				0.0	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0 0.8 neet the	\$0 \$39 minimum requirer	n/a n/a nent of 20 gallons pe	\$0 \$39 er minute per
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 re	\$0 \$39 minimum requirer ecords review and date.	n/a n/a nent of 20 gallons po the Final Date is the	\$0 \$39 er minute per e projected
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs  Avoided Costs	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the 2007 renpliance	\$0 \$39 minimum requirer ecords review and date. item (except for	n/a n/a nent of 20 gallons po the Final Date is the	\$0 \$39 er minute per projected
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 re npliance ntering 0.0	\$0 \$39 minimum requirer ecords review and date. item (except for \$0	n/a n/a nent of 20 gallons pr the Final Date is the ii one-time avoided c	\$0 \$39 er minute per e projected osts)
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 re appliance ntering 0.0 0.0	\$0 \$39 minimum requirer ecords review and date. item (except for \$0 \$0	n/a n/a nent of 20 gallons p the Final Date is the in- one-time avoided c \$0	\$0 \$39 er minute per e projected osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 re npliance ntering 0.0 0.0	\$0 \$39 minimum requirer ecords review and date. item (except for \$0 \$0	n/a n/a nent of 20 gallons p the Final Date is the one-time avoided c \$0 \$0 \$0	\$0 \$39 er minute per e projected osts) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 ren pliance ntering 0.0 0.0 0.0	\$0 \$39 minimum requirer cords review and date. item (except for \$0 \$0 \$0	n/a n/a nent of 20 gallons potential Date is the single avoided constitution one-time avoided constitution so so so so so so so so so	\$0 \$39 er minute per projected osts) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 ren pliance ntering 0.0 0.0 0.0	\$0 \$39 minimum requirer scords review and date. item (except for \$0 \$0 \$0 \$0	n/a n/a nent of 20 gallons potential Date is the single avoided company of the single avoided co	\$0 \$39 er minute per projected osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the 2007 renpliance intering 0.0 0.0 0.0 0.0 0.0	\$0 \$39 minimum requirer ecords review and date. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a nn/a nent of 20 gallons present in the Final Date is the some time avoided or \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$39 er minute per e projected osts) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the , 2007 ren pliance ntering 0.0 0.0 0.0	\$0 \$39 minimum requirer scords review and date. item (except for \$0 \$0 \$0 \$0	n/a n/a nent of 20 gallons potential Date is the single avoided company of the single avoided co	\$0 \$39 er minute per projected osts) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the 2007 renpliance intering 0.0 0.0 0.0 0.0 0.0	\$0 \$39 minimum requirer ecords review and date. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a nn/a nent of 20 gallons present in the Final Date is the some time avoided or \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$39 er minute per e projected osts) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed)  Notes for DELAYED costs  Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated c	ost to increase pres on. The Date Requi	sure capacity to r ired is the July 20 con	0.0 0.8 neet the 2007 renpliance intering 0.0 0.0 0.0 0.0 0.0	\$0 \$39 minimum requirer ecords review and date. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a nn/a nent of 20 gallons present in the Final Date is the some time avoided or \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$39 er minute per e projected osts) \$0 \$0 \$0 \$0 \$0

Screening	Date 4-Sep-2007	Dock	<b>et No.</b> 2007-1498-PWS-E	PCW			
		Buffalo Ridge Mobile Home	Community	Policy Revision 2 (September 2002)			
	D No. 34624			PCW Revision June 26, 2007			
Reg. Ent. Referenc				verene			
	<b>atute]</b> Public Water Supp	ly		viviour			
	nator Michael Meyer			vanavava			
Violation N							
Rule	Rule Cite(s) 30 Tex. Admin. Code § 290.46(e)						
Violation Desc			d at all times under the direct so s documented during a records y 20, 2007.				
			Bas	e Penalty \$1,000			
>> Environmental, Prop	erty and Human Hea	Ith Matrix	The state of the s				
	F	larm					
OR R	elease Major Mo Actual	derate Minor		·			
	otential x		Percent 25%	vi v			
	- X		2070]				
>>Programmatic Matrix							
Falsifi	ication Major Mo	derate Minor	. B				
			Percent 0%	***************************************			
			an adequately trained and app				
Notes			ation and expose the public to s s protective of human health.	signficant			
	amounts or political		protocure of namar near.				
			Adjustment	\$750			
			Aujustinenti	ψ130]			
				\$250			
Violation Events				1			
Violation Events							
Numbe	er of Violation Events	2	46 Number of violation day	ys			
				***************************************			
	daily monthly	X					
mark o	only one quarterly		Violation Bas	se Penalty \$500			
	an x semiannual						
	annual						
	single event						
Two r	monthly events from the Ju	ıly 20, 2007 records review to	the September 4, 2007 screen	ning date.			
Economic Benefit (EB)	for this violation		Statutory Limit Te	st			
Est	timated EB Amount	\$74	Violation Final Pen	nalty Total \$558			
	<u> </u>			-			
		This violation Final	Assessed Penalty (adjusted	for limits) \$558			

Media Public Water Supply Violation No. 4  Years of Depreciation 5.0	Respondent Case ID No. Reg. Ent. Reference No.	34624	dba Buffalo Ridge N	Mobile Home Com	nmunity		i de la companya de l	
Item Cost   Date Required   Final Date   Yrs   Interest Saved   Onetime Costs   EB Amount	. Media	Public Water S				The NV of	Percent Interest	Years of Depreciation
Delayed Costs   Equipment							5.0	15
Delayed Costs   Equipment		Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment Buildings	Item Description	No commas or \$	Antige High Control	S million vol 19				
Equipment Bulldings	Dalla and Garde					-		
Buildings		[ <del></del>	1		Tron	I \$0	f \$0	\$0
Other (as needed)			7 7 7 8 4 4 A 5 7 8					
Disposal Personnel   Disposa			-					
Land								
Training/Sampling						\$0	n/a	\$0
Notes for DELAYED costs	Record Keeping System				0.0		n/a	\$0
Notes for DELAYED costs	Training/Sampling				0.0	\$0	n/a	
Notes for DELAYED costs	Remediation/Disposal				0.0		n/a	
Avoided Costs	Permit Costs						n/a	
Avoided Costs	Other (as needed)				0.0	\$0	n/a	\$0
Avoided Costs				2.47		2.70	1.0000000000000000000000000000000000000	
Avoided Costs		1			1	4	ig fedf ₩	
Disposal   Personnel	Notes for DELAYED costs				A. San	n in the second	Bwarri i	
Disposal   Personnel	4.44	ANU	WALIZE MI avaid	d coata hafara	ntorina	Itom love out for	ana tima avaidad a	oete)
Personnel		ANI	NOALIZE [1] avoide	ad costs perore t				
Supplies/equipment	•			i i i i	0.0			\$0
Company   Comp	Inspection/Reporting/Sampling				0.0	\$0	\$0	
ONE-TIME avoided costs [3] Other (as needed)  \$70	Supplies/equipment		1,,		0.0	\$0	\$0	
Other (as needed) \$70 20-Jul-2007 16-Oct-2007 1.2 \$4 \$70 \$74  Estimated cost to take a Class "D" Test. The Date Required is the July 20, 2007 records review and the Fina	Financial Assurance [2]							
Estimated cost to take a Class "D" Test. The Date Required is the July 20, 2007 records review and the Fina	ONE-TIME avoided costs [3]			1				
Estimated cost to take a Class "D" Test. The Date Required is the July 20, 2007 records review and the Fina	Other (as needed)	\$70	20-Jul-2007	16-Oct-2007	1.2	\$4	\$70	
	- u.u. (u	Estimated c	ost to take a Class "				2007 records review	
		Louinated 6	•	Date is th				

Screening Date	4-Sep-2007	Docket No. 2007-	1498-PWS-E	PCW
I the control of the	David Zulejkic dba Buffalo Ridge	Mobile Home Community	Policy R	evision 2 (September 2002)
Case ID No.	* : * = :		P	CW Revision June 26, 2007
Reg. Ent. Reference No.	RN102322286 Public Water Supply			
Enf. Coordinator				
Violation Number	5			_
Rule Cite(s)	30 Te	x. Admin. Code §290.46(f)(2	)	
Violation Description	Failed to have operating records during a record	accessible for review during ds review conducted on July		NO. CONTRACTOR CONTRAC
			Base Penalty	\$1,000
>> Environmental, Property a	nd Human Health Matrix			
Release	<b>Harm</b> Major Moderate N	<b>l</b> inor		
OR Actual				
Potential		Perce	ent 0%	
>>Programmatic Matrix				
Falsification	Major Moderate M	<u> </u>		
	X	Perce	ent 10%	
Matrix	400			
Notes	100 percent of the r	ule requirement was not met		sansitti dalama
		Adjustr	nent \$900	
on and an analysis of the second				\$100
NG -1-1: F				
Violation Events				
Number of Vio	plation Events 1	46 Numb	er of violation days	***************************************
	daily			
reconstruction of the second o	monthly			
mark only one with an x	quarterly semiannual		Violation Base Penalty	\$100
	annual			
	single event x			***************************************
	Saladin Saladi			
	One single e	vent is recommended.		
Economic Benefit (EB) for thi	***		utory Limit Test	
Estimated	d EB Amount	\$1 Vie	olation Final Penalty Total	\$112
	This	violation Final Assessed Pe	enalty (adjusted for limits)	\$112
			Author Control	

	i E	conomic l	3enefit W	orks	sheet		
Respondent	David Zulejkic	dba Buffalo Ridge N	Nobile Home Com	munity			
Case ID No.	34624					e i i i i i i i i i i i i i i i i i i i	
Reg. Ent. Reference No.	RN102322286						
	Public Water S	upply				Davagnt Interest	Years of
Violation No.	5					Percent Interest	Depreciation
		CARLES AND AND			1000	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	Parket and Control of the Control of
Mass Dansstation					interest ouved	Officiality Obside	LDAIIIOUIL
item Description	No commas or \$	Carrier to Decrease	Congress with the	<u> </u>			
A ACCUMANCE				17 S2000 A			
Delayed Costs		1		1 00	l \$0	\$0 I	\$0
Equipment Buildings	<u> </u>	.fs 21 .5560 .c.	<u> </u>	0.0	\$0	\$0 \$0	\$0
Other (as needed)	17%			0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land			•	0.0	\$0	n/a	\$0
Record Keeping System	1 \$100	20-Jul-2007	16-Oct-2007	0.2	\$1	n/a	\$1
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	ŝ	20, 2007 re	ecords review and	l the Fina	al Date is the comp		
Avoided Costs	ANN	IUALIZE [1] avoide	ed costs before e	ntering		one-time avoided c	
Disposal			1 11	0.0	\$0	\$0	\$0
Personnel	\$1.5 \$1.5	est and		0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0,0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)		<u> </u>		0.0	\$0	\$0	\$0
Notes for AVOIDED costs				<u></u>	•		
Approx. Cost of Compliance		\$100			TOTAL		\$1

### **Compliance History**

Rating:

Site Rating:

Customer/Respondent/Owner-Operator: CN603242579 ZULEJKIC, DAVID Classification: RN102322286 BUFFALO RIDGE MOBILE HOME Classification: Regulated Entity: COMMUNITY ID Number(s): 1260106 PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 2120 S BURLESON BLVD, JOHNSON COUNTY, TX, 76028 Location: **REGION 04 - DFW METROPLEX** TCEQ Region: Date Compliance History Prepared: October 01, 2007 Agency Decision Requiring Compliance History: Enforcement Compliance Period: September 25, 2002 to September 24, 2007 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History N/A Name: N/A Phone: **Site Compliance History Components** 1. Has the site been in existence and/or operation for the full five year compliance period? 2. Has there been a (known) change in ownership of the site during the compliance period? Yes David Zulejkic 3. If Yes, who is the current owner? 4. if Yes, who was/were the prior owner(s)? Helen Williams 5. When did the change(s) in ownership occur? 2/12/2003 Components (Multimedia) for the Site: Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government. В. Any criminal convictions of the state of Texas and the federal government. C. Chronic excessive emissions events. N/A D. The approval dates of investigations. (CCEDS Inv. Track. No.) 1 12/03/2002 (13292)N/A 2 06/13/2003 (62046)3 04/25/2006 (461743)4 08/03/2007 (568593)Ε. Written notices of violations (NOV). (CCEDS Inv. Track. No.) Date: 11/19/2002 (13292)Moderate Self Report? Classification: 30 TAC Chapter 290, SubChapter D 290.46(e)[G] Citation: Failure by the regulated entity to be under the direct supervision of a certified water Description: works operator at all times. Classification: Minor Self Report? NO 30 TAC Chapter 290, SubChapter D 290.43(d)(9) Citation: Failure to maintain three or less pressure tanks at any one site, unless prior approval Description: has been granted by the executive director. Classification: NO Minor Self Report? 30 TAC Chapter 290, SubChapter D 290.43(c)[G] Citation: Failure to cover and design, fabricate, erect, test and disinfect in strict accordance Description: with current American Water Works Association (AWWA) standards, all facilities for potable water storage.

Classification:

executive director at least 120 days before the date of the transaction. Date: 04/26/2006 (461743)

30 TAC Chapter 290, SubChapter D 290.46(p)(1)

Failure by the regulated entity to submit a written notice of ownership change to the

Self Report?

Description:

Citation:

NO

Self Report? NO Classification: Minor 30 TAC Chapter 290, SubChapter D 290.43(d)(9) Citation: Failure to maintain three or less pressure tanks at any one site, unless prior Description: approval has been granted by the executive director. NO Classification Minor Self Report? 30 TAC Chapter 290, SubChapter D 290.43(c)[G] Citation: Failure to cover and design, fabricate, erect, test and disinfect in strict accordance Description: with current American Water Works Association (AWWA) standards, all facilities for potable water storage. Self Report? NO Classification Minor 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K) Citation: Failure to seal the wellhead or pump base with the use of gaskets or a pliable crack-Description: resistant caulking compound. Self Report? NO Classification Minor 30 TAC Chapter 290, SubChapter D 290.42(j) Citation: Failure to use ANSI / NSF certified sodium hypochlorite. Description: Self Report? NO Classification Moderate 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(i) Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(ii) 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iii) 30 TAC Chapter 290, SubChapter D 290.45(b)(1)(F)(iv) Description: Failure to provide a pressure tank capacity of 20 gallons per connection. Classification Self Report? NO 30 TAC Chapter 290, SubChapter D 290.46(e) Citation: Failure by a public water system to operate at all times under the direct supervision of Description: a water works operator who holds an applicable, valid license issued by the executive director. Classification NO Moderate Self Report? 30 TAC Chapter 290, SubChapter D 290.46(i) Citation: Failure to provide a service agreement with provisions for proper enforcement to Description: insure that neither cross-connections nor other unacceptable plumbing practices are permitted. NO Classification Minor Self Report? 30 TAC Chapter 290, SubChapter F 290.121(a) Citation: Failure to develop and maintain an up to date system monitoring plan. Description: Self Report? NO Classification Minor 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F) Citation: Failure to provide a sanitary control easement or sanitary control easements covering Description: land within 150 feet of the well or a copy of the recorded deed and map demonstrating that the public water system owns a portion of real property within 150 feet of the well. Classification Self Report? NO Minor 30 TAC Chapter 290, SubChapter D 290.46(f)(2) Citation: Failure to record the amount of water treated each day. Description: N/A Type of environmental management systems (EMSs).

F. Environmental audits.

G.

Voluntary on-site compliance assessment dates. Н.

N/A

Participation in a voluntary pollution reduction program. 1.

Early compliance.

N/A

Sites Outside of Texas

N/A

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
DAVID ZULEJKIC DBA BUFFALO	§	TEXAS COMMISSION ON
RIDGE MOBILE HOME	§	
COMMUNITY	§	
RN102322286	§	ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2007-1498-PWS-E

#### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding David Zulejkic dba Buffalo Ridge Mobile Home Community ("the Respondent") under the authority of Tex. Health & Safety Code ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a public water supply at 2120 South Burleson Boulevard in Johnson County, Texas (the "Facility") that has approximately 95 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 3. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about August 8, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Four Thousand Six Hundred Ninety Dollars (\$4,690) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Three Hundred Forty-Two Dollars (\$342) of the administrative penalty and Nine Hundred Thirty-Eight Dollars (\$938) is deferred contingent upon

the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the penalty payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Three Thousand Four Hundred Ten Dollars (\$3,410) of the administrative penalty shall be payable in 11 monthly payments of Three Hundred Ten Dollars (\$310) each. The next payment monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
  - a. Based on an investigation conducted by the Dallas/Fort Worth Regional Office on October 16, 2007, the drinking water system is operated at all times under the direct supervision of a TCEQ licensed water works operator and operating records are made accessible for review during inspections; and
  - b. Based on a letter from the Public Drinking Water Section dated November 8, 2007, the TCEQ granted an exception of the American Water Works Association ("AWWA") certification requirements for the six existing ground storage tanks at the Facility.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

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#### II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to maintain three or less pressure tanks at any one time unless prior approval has been granted by the Executive Director, in violation of 30 Tex. ADMIN. CODE § 290.43(d)(9), as documented during a records review conducted on July 20, 2007. Specifically, the Respondent did not have approval from the Executive Director of the TCEQ for the ten pressure tanks at the Facility.
- 2. Failed to cover and design, fabricate, erect, test and disinfect in strict accordance with current AWWA standards, all facilities for potable water storage, in violation of 30 Tex. ADMIN. CODE § 290.43(c), as documented during a records review conducted on July 20, 2007. The investigator documented six ground storage tanks which were not AWWA certified.
- 3. Failed to provide a pressure tank capacity of 20 gallons per connection, in violation of 30 Tex. ADMIN. Code § 290.45(b)(1)(F)(iv), as documented during a records review conducted on July 20, 2007. Specifically, the system is required to provide a pressure tank capacity of 1,900 gallons based on the number of the system's connections. At the time of the records review, the system was providing a pressure tank capacity of 1,050 gallons, which is 45% deficient.
- 4. Failed to have the public water system operated at all times under the direct supervision of a TCEQ licensed water works operator, in violation of 30 Tex. ADMIN. CODE § 290.46(e), as documented during a records review conducted on July 20, 2007.
- 5. Failed to have operating records accessible for review during inspection, in violation of 30 TEX. ADMIN. CODE § 290.46(f)(2), as documented during a records review conducted on July 20, 2007.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: David Zulejkic dba Buffalo Ridge Mobile Home Community, Docket No. 2007-1498-PWS-E" to:

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Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Within 90 days after the effective date of this Agreed Order:
    - i) Reduce the number of pressure tanks at the Facility to three or less or obtain approval from the Executive Director to have more than three pressure tanks onsite, in accordance with 30 Tex. ADMIN. CODE § 290.43;
    - ii) Provide a pressure tank capacity of 20 gallons per connection, as required under 30 Tex. ADMIN. CODE § 290.45; and,
  - b. Within 105 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

With a copy to:

Water Section Manager Dallas/Fort Worth Regional Office Texas Commission on Environmental Quality 2309 Gravel Dr. Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 Tex. ADMIN. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

# SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	3 26 2008 Date
I, the undersigned, have read and understand the attached attached Agreed Order on behalf of the entity indicated and conditions specified therein. I further acknowledge penalty amount, is materially relying on such representations.	below my signature, and I do agree to the terms that the TCEQ, in accepting payment for the
I also understand that failure to comply with the Ordering timely pay the penalty amount, may result in:  • A negative impact on compliance history;	
<ul> <li>Greater scrutiny of any permit applications subm</li> <li>Referral of this case to the Attorney General's openalties, and/or attorney fees, or to a collection at the second of the s</li></ul>	Office for contempt, injunctive relief, additional
<ul> <li>Increased penalties in any future enforcement act</li> <li>Automatic referral to the Attorney General's Offi</li> </ul>	ions;
• TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance document	its may result in criminal prosecution.
12-27-007	
Signature	Date
Davro Zulejkic dba Bulleto Ridge	MHC Owner/Partner
Name (Printed or typed) Authorized Representative of David Zulejkic dba Buffalo Ridge Mobile Home Commu	Title
	<del>-</del>

**Instructions**: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.